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Attorneys for Defendants

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION	:	
CORPORATION,	:	SIPA LIQUIDATION
	:	
Plaintiff-Applicant,	:	No. 08-01789 (CGM)
	:	
v.	:	
	:	
BERNARD L. MADOFF INVESTMENT	:	
SECURITIES, LLC,	:	
	:	
Defendant.	:	

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In re:	:	
	:	
BERNARD L. MADOFF,	:	
	:	
Debtor.	:	

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IRVING H. PICARD, Trustee for the Substantively	:	
Consolidated SIPA Liquidation of Bernard L. Madoff	:	
Investment Securities LLC and Bernard L. Madoff	:	
	:	
Plaintiff,	:	

v.	:	Adv. Pro. No. 10-05169
	:	

FAIRFIELD PAGMA ASSOCIATES, LP, a New York	:	
York limited partnership, SEYMOUR KLEINMAN,	:	DECLARATION OF
ESTATE OF MARJORIE KLEINMAN aka MARJORIE	:	RONNI LEO
HELENE KLEINMAN, BONNIE JOYCE KANSLER,	:	
as executor, FAIRFOX, LLC, a New York limited liability	:	
company, and SEYFAIR, LLC, a New York limited	:	
liability company,	:	
	:	
Defendants.	:	

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I, Ronni Leo, hereby declare under penalty of perjury, as follows:

1. My father, Seymour Kleinman, remains a named defendant in this proceeding despite his passing more than six years ago. I make this declaration in opposition to the motion for summary judgment filed by Irving H. Picard, as trustee (“Trustee”), for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff. I make this declaration based on personal knowledge. I am fully familiar with the facts set forth herein.

2. I have been a certified public accountant since 1987. I prepared the tax returns for Fairfield Pagma Associates, LP (“Fairfield Pagma”) from 2003 through 2005 and provided general support and assistance on tax related matters as a courtesy as my father became ill.

3. Fairfield Pagma was a limited partnership. My father, Seymour Kleinman, and my aunt, Marjorie Kleinman, were the initial general partners of Fairfield Pagma at the time of its formation.

4. Seyfair LLC (“Seyfair”) was a limited liability company formed in late 2004 for the purpose of replacing Seymour Kleinman as a general partner of Fairfield Pagma. My father contributed 100% of his general partnership interest in Fairfield Pagma (\$35,000) to Seyfair in exchange for 100% of the ownership interest in Seyfair. Seyfair contributed \$35,000 to Fairfield Pagma for its initial capital contribution and was substituted as general partner.

5. At or around the same time, Fairfox, LLC (“Fairfox”) was formed to replace my aunt, Marjorie Kleinman, as general partner of Fairfield Pagma and, at around the same time as Seyfair, was substituted as general partner.

6. These transactions are reflected in the Seyfair Operating Agreement, attached as Exhibit B to the declaration of my cousin, Adam Kansler.

7. I prepared Fairfield Pagma's tax returns for the 2005 tax year, including the Form K-1s issued by Fairfield Pagma to Seymour Kleinman, Marjorie Kleinman, Seyfair and Fairfox. True and correct copies of these Form K-1s are attached hereto as Exhibit A. The K-1s reflect that the individuals Seymour Kleinman and Marjorie Kleinman each withdrew their capital investments in Fairfield Pagma (\$35,000 for Seymour and \$50,000 for Marjorie) and Seyfair and Fairfox each contributed initial capital to Fairfield Pagma (\$35,000 for Seyfair and \$50,000 for Fairfox) as general partners.

8. Neither Seyfair nor Fairfox were issued K-1s prior to 2005. Part II ("Information about the Partner") of the K-1s issued to Fairfox and Seyfair for 2005 indicates with an "X" in the box for "General Partner or LLC member-manager," that Fairfox and Seyfair were general partners of Fairfield Pagma during that year.

9. Seyfair and Fairfox remained the sole general partners of Fairfield Pagma from 2005 until its termination following the collapse of Bernard L. Madoff Investment Securities LLC and the arrest of Bernard L. Madoff.

10. I am aware that the Trustee has alleged Seymour Kleinman and Marjorie Kleinman were general partners of Fairfield Pagma between December 11, 2006 and December 11, 2008. *See* Pl. Memo of Law, pp. 2, 37. This is false. Seymour Kleinman and Marjorie Kleinman were not general partners of Fairfield Pagma at any time from December 11, 2006 to December 11, 2008.

11. My father passed away on September 8, 2015. His estate was not probated because he had so few assets.

12. Seyfair was inactive and defunct since Fairfield Pagma's dissolution.

Dated: December 22, 2021
New York, New York

Respectfully submitted,

Ronni Leo

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